

The Leesburg Planning Commission met on Thursday, June 23, 2005 in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, David Fuller, Steve McGregor, Bruce Douglas, Nick Colonna and Linda DeFranco.

Present: Commissioner Bangert
Commissioner Barnes
Commissioner Hoovler
Commissioner Jones
Commissioner Kalriess
Commissioner Wright
Mayor Umstattd
Chairman Vaughan

ADOPTION OF AGENDA

Commissioner Bangert moved to adopt the agenda as presented.

Motion: Bangert
Second: Kalriess
Carried: 5-0

Commissioners Barnes and Hoovler were not present for the vote

APPROVAL OF MINUTES

Commissioner Wright moved to approve the minutes of the May 19, 2005 meeting as submitted.

Motion: Wright
Second: Kalriess
Carried: 6-0

Commissioner Hoovler was not present for this vote

CHAIRMAN'S STATEMENT

Chairman Vaughan recapped the agenda.

PETITIONERS

None

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COMPREHENSIVE PLANNING

David Fuller came forward and explained that he really was not going to give any presentation, that the commission could move right into discussion of the Town Plan. Mr. Fuller suggested that the Commissioners go through the suggested revisions set out in Planning Commission Resolution 2005-01.

Chairman Vaughan requested a timeline for construction tying construction to all components and not phasing. Oftentimes this leaves undesired residual results after the initial phase is completed. They would like to discourage pad sites, and do not want to see them 600' from the primary buildings. That is too far. Mr. Vaughan went on to say that they need to closely look at the large applications and make sure that all elements are represented at the outset. He does not want to see a situation that would request a rezoning and totally change a use.

Commissioner Wright agreed with this and added that he would like to see office be constructed first in any commercially designated area.

Commissioner Kalriess expressed concern about the LU-11 objective which adds community office to the community commercial designation. He is not sure if a 10% retail component would be the ideal for this location. While this is trying to prevent a regional shopping mall, it is encouraging office and community retail. He feels the percentage of retail should be increased to 20%. Criteria such as vertical integration, the 30K to 60K footprint would remain, and limit the target market to no more than five miles.

Commissioner Barnes asked why Six Seven Corporation was brought in. Mr. Kalriess said that the designation of their parcel had been changed from regional office to community office. There is also some concern about integrating some residential mix in the area. Commissioner Jones asked if the purpose was to remove the residential completely from the parcel. Mr. Kalriess said that yes, this should be targeted to more community commercial/office. Mr. Jones said his concern was that they are trying to create a scale at the town's entrance, and feels that regional office would provide that. Community office really doesn't encourage that. He feels that this corridor needs more substantive dimension.

Commissioner Wright responded that community office is already designated on an adjacent parcel. Extending this to the Six Seven parcel would keep out the residential component. He is not comfortable with the proposed change citing that this could put traffic through the adjacent residential neighborhoods. He definitely doesn't want to see the residential component slide above 25% if it is allowed.

Commissioner Bangert asked what if an application comes in and it doesn't fit, will it be difficult to prepare recommendations and reports on the issues. Where does the flexibility come in?

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Susan Swift commented that this has not arisen to date. So far the applications have been so far off that there was no question. The new plan has a matrix that will provide the direction for preferred development.

Commissioner Bangert asked if an application has 120K or 135K of retail, but the remainder of the project is what we are looking for, would this be denied since we limit the retail to 100K?

David Fuller said that they should stick as close as possible to the maximum retail. Once they continue to add flexibility, the floodgates open.

Commissioner Bangert said that it often takes a long time and significant funds to sometimes get to a point and then the Commission could deny the application. Susan Swift said that the plan and policy direction can balance out. A cap must remain a cap. Cases rely on many policy directions to produce a final, balanced product.

Commissioner Jones wants to ensure that the Commission gives good direction and that they promote innovation. There were complexities in the Potomac Station area and he would like to see everyone work together to get the right product for the market and the community. He doesn't want to see regional office use in Potomac Station because of the residential, however, someone might come in with a product that makes sense and would work well, so some flexibility needs to be there.

Commissioner Kalriess questioned whether there was enough hierarchy in the Town Plan to enable the Commission to make proper decisions. Do each of the areas make it clear enough for guidance? They need to make sure the goals are set out.

Commissioner Barnes asked if a landowner bought land under the 1997 Town Plan (which was regional office), now changed to community office under the new Town Plan, how would they be protected? The zoning is really what guides the use, so the application can be presented under that. Chairman Vaughan said he is hearing two stories. One to allow for flexibility and one to use the Town Plan as a guide.

Commissioner Wright recapped some of the uses and their target market. When an application is reviewed, can the target market radius be measured? Mr. Fuller responded that this would be difficult to use as a criteria. Mr. Wright went on to ask about intensity vs. uses. He went on to explain that a 10% retail cap is meant to provide a use for people that work in the area, not to draw people from outside the area. Commissioner Kalriess felt that the 10% use was not realistic to the current market place.

Chairman Vaughan said that they need to come to an understanding of adopting staff recommendation or increasing the maximum retail allowed in either the regional or community office designations.

Commissioner Hoovler agreed with Mr. Kalriess stating that there should be some flexibility and that if properly submitted, up to 20% retail should be allowed. The impact

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on the other land uses must be considered. Commissioner Kalriess said having the option helps to clarify what an application should include. Commissioner Wright said what convinced him to increase the percentage was that the retail would draw from a smaller area. This would allow for some services for the building tenants. Commissioner Bangert said a range of 10-20% would be acceptable with 20% being the maximum. She also does not want to see pad sites. The 20% would need to be vertically integrated, not spread around the site. Commissioner Hoovler agreed that this provides some flexibility. They need to look at the entire application and balance everything out.

Commissioner Kalriess asked what language should be incorporated, up to 20% or between 10% and 20%. There was some further discussion on the language to be used.

Commissioner Wright recapped the discussion as follows: in the Resolution, #8 the paragraph should be revised to include the following statement: "As an option, individual projects may include up to 50% combined retail and residential use, such combination not to exceed 25% residential or 35% retail, measured in building floor area, with retail use not to exceed 250K s.f."

Susan Swift said this could put the staff in a position to have to deny an application because it exceeds 100K s.f. The language needs to insure that they will be able to review on a case by case basis.

In regional and community office the retail space allowed would be 10% to 20%. All commissioners agreed that these numbers would be acceptable.

There was discussion on the types of uses that should be allowed in the retail space. The question arose about a restaurant such as TGI Fridays occupying the entire lower floor of an office building and whether the occupants of the offices could sustain it. The commentary was that maybe the occupants couldn't fully sustain the restaurant, but it would be a draw for other people also and should be encouraged.

Chairman Vaughan referred to the Edwards Ferry Road property adjacent to Costco and the designated use there. The applicant is requesting retail and the town plan has designated it as community office. Mr. Vaughan said that everything is designated retail on that side of the street, why shouldn't it remain retail. Commissioner Hoovler said that the residents feel there would be no transition between the big box retail and their homes. They feel that the community office could provide the transition. Commissioner Wright agreed saying there was a specific objective for this area that dictates a lower FAR for purposes of transition. Commissioners Bangert and Kalriess also agreed with the citizens' wishes.

Commissioner Wright said there needed to be some further discussion on the LU-11, Northeast Sector, Objective 5g referring to land fronting on Rt. 7 between Tolbert Middle School and the Potomac Station Shopping Center with regard to Regional Office versus Community Office land use. In order to discourage pad sites, language needs to be incorporated that says the retail should be encouraged within the office building, however

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can be outside of the office building if within short walking distance and incorporated into the site design. The term vertical integration would discourage pad sites.

Commissioner Jones said they needed to be careful not to encourage two story pad sites. Commissioner Wright asked about the language “oriented to the interior of the site” and what this encouraged. It was agreed that this would separate pad sites from office buildings. Mr. Wright went on to say that it should clearly stated that pad sites should be discouraged.

After further discussion, it was agreed to incorporate the statement “Pad sites are not appropriate” under the Land Use Element, Regional Office and Community Office, Site Design and Location, item 4.

Commissioner Hoovler said this needs to be allowed somewhere in town. He feels that language should not encourage but should be flexible with pad site proposals. Language stating that pad sites must be incorporated into a site, and not abut major streets and limiting the number of feet from the main structure from 600’ to 300’.

Commissioner Kalriess asked Randy Greehan if a parcel is split, will that open up opportunity for pad sites? Mr. Greehan said that the language does address the issue of pad sites and allows for flexibility in determining approvals.

Commissioner Bangert commented on a letter received by Mr. Wilkins. Currently the zoning in the southwest area is A-3 and she is not sure what it will be in the future. It is under the JLMA 20 and Mr. Wilkins says that what the town plan is asking for is not the same as the current zoning. Commissioner Jones said this was the old AR-1 district, not the JLMA 20. Ms. Bangert asked if this could just be left low density residential right for now. There was some further discussion on this.

Commissioner Hoovler said that we can’t zone this. The plan reflects what we would like to see in the area, so it should be left the way we have it set out for now.

Randy Greehan said the plan is supposed to reflect your concerns and wishes, not dictate a use. Susan Swift said this should be left as it is.

Commissioner Bangert said she understood that the Southwest sector was not the area we were worried about, that they should simply use the map designations as guides for the county to consider when planning this area. Commissioner Jones said this had been taken from the UGA and he feels that the Sycolin watershed should be included in the UGA. Commissioner Hoovler said this should be left the way it is, we have no legal force in the area. This just indicates to the county what we would like in the area.

Commissioner Kalriess once again asked Mr. Greehan to provide an interpretation. He agreed with Mr. Hoovler and said keep it the way it is currently written. Mr. Greehan said you have the ability to advise. Many factors need to be weighed in before final decisions are made.

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Commissioner Wright said they should not decide what rural residential zoning in the County is. He feels that the town and the county need to work jointly and need to assure that there is a transportation tie in. Commissioner Jones said there is a responsibility to speak up on this, they cannot afford to be silent. Commissioner Bangert said the entire UGA area is important.

At this point it was decided to take a break and allow staff to rewrite the resolution with the changes that the Commission just proposed. David Fuller asked for some final clarifications so that the language could be revised.

Following the break, David Fuller came forward and read all of the changes made to the resolution for approval.

Commissioner Wright moved to adopt Resolution 2005-01 (copy attached) as amended and read the Resolution into the record..

Motion: Wright
Second: Hoovler
Carried: 7-0

Commissioner Bangert thanked everyone involved in getting the Town Plan to this point, including the Commission members, general public and the Comprehensive Planning Staff.

Commissioner Wright also thanked everyone including previous Commission members and members of other Town Commissions who were involved.

Chairman Vaughan also thanked everyone and there was a round of applause.

ADJOURNMENT

The motion was made to adjourn at 10:47pm.

Presented by:

Approved by:

Linda DeFranco, Commission Clerk

Clifton Vaughan, Chairman